IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division

THOMAS D. DOMONOSKE, individually and on behalf of all those similarly situated, Plaintiff, v. BANK OF AMERICA, N.A., a national banking association, Defendant.	Civil Action No. 5:08-cv-00066
VICTOR RIVERA, individually and on behalf of all those similarly situated, Plaintiff, v. BANK OF AMERICA, N.A., a national banking association, Defendant.	Civil Action No. 5:09-CV-00090

SUPPLEMENTAL DECLARATION OF TIMOTHY E. CUPP

The undersigned, Timothy E. Cupp, declares under penalty of perjury that the following is true and correct:

1. I am over the age of 18 and am competent to make the statements contained in this Declaration. This Declaration supplements the previous declaration I submitted to the Court in support of the Plaintiff's Motion for Preliminary Approval of the Settlement and Class Certification. I am seeking to be named as counsel for the class, along with my co-counsel in this consolidated action.

EXHIBIT 3

2. The accompanying Exhibit A consists of records derived from the contemporaneously maintained time records of Cupp & Cupp, P.C. for hours expended in the instant litigation from April 24, 2008 through December 16, 2009, and sets forth the hours expended in this case on the dates corresponding to each time entry. As reflected on the attached summary sheet, I have expended 540.10 hours on this case through December 16, 2009. The entries on Exhibit A further reflect portions of the information entered into my contemporaneously maintained time records, modified to avoid disclosure of confidential information, attorney-client privileged information and/or information protected by the attorney work product doctrine.

3. Originally, my time records were maintained in my personal daily diary, on time sheets, or were entered directly into our computer system. A "pre-bill worksheet" is available to review on a periodic basis for internal review. The client is billed for expenses on a periodic basis in contingency cases.

4. Cupp & Cupp, P.C. also has incurred costs and expenses of the litigation. All costs and expenses incurred by Cupp & Cupp, P.C. which have been billed to date have been paid by Mr. Domonoske. There are some additional expenses which have not yet been billed in the amount of $29.98. Other costs and expenses of the litigation were paid directly by Mr. Domonoske, or were advanced by co-counsel, and were not advanced by my firm. The litigation expenses and advances are also reflected on the invoices or records attached as Exhibit B. The first invoice for advances and costs is for the federal court filing fee of $350.00, plus some minor costs for copies. These costs and expenses total $1,889.16 thus far.

I declare under penalty of perjury that the foregoing statements are true and correct.

Executed at Harrisonburg, Virginia

Timothy E. Cupp

Executed this 18TH day of December, 2009.

Hours Spent on *Domonoske v. Bank of America*
Derived from Cupp & Cupp, P.C. Time Records Generated by TimeSlips Software

Date	Task	Hours
04/24/2008	Initial consultation with Mr. Domonoske (hereinafter referred to as "client"). Review issues. Legal research.	2.60
04/25/2008	Legal research.	1.00
05/07/2008	Review documents.	0.60
05/09/2008	Telephone conference with client. Work on litigation issues.	0.50
05/19/2008	Research claim.	1.80
05/20/2008	Legal research. Memo to file.	1.30
05/21/2008	Review litigation issues.	1.20
05/30/2008	Telephone conference with client. Review issues. Legal research.	1.80
06/08/2008	Legal research. Draft correspondence to Bank of America.	2.40
06/09/2008	Telephone conference with client. Outline approach.	1.50
06/18/2008	Finalize correspondence to Bank of America and serve on same. Review documents. Legal research.	0.80
07/02/2008	Telephone conference with client.	0.20
07/09/2008	Telephone conference with Mr. Tinkler. Telephone conference with with client. Work on Complaint. Fact research. Legal research on potential defenses.	3.00
07/10/2008	Further work on Complaint. Telephone conference with client.	1.40
07/11/2008	Telephone conference with Mr. Tinkler. Telephone conference with client.	0.80
07/29/2008	Telephone conference with Mr. Lyngklip. Telephone conference with client. Work on Complaint and Rule 23 issues.	1.60
07/30/2008	Telephone conference with client. Further work on Complaint.	2.00
07/31/2008	Further legal research on issues and work on Complaint.	1.60

EXHIBIT
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08/01/2008	Review and revise Complaint. E-mail client and Mr. Lyngklip.	1.20
08/03/2008	Draft and revise Complaint.	1.50
08/04/2008	Telephone conference with client. Legal research. Revise Complaint. E-mail Mr. Lyngklip.	1.60
08/05/2008	Telephone conference with client. Telephone conference with Mr. Lyngklip. E-mails with client and Mr. Lyngklip.	0.70
08/06/2008	Further revisions to Complaint focusing on class definition.	0.80
08/07/2008	Telephone conference with client. Work on Complaint.	1.30
08/08/2008	Finalize and file Complaint. E-mail Mr. Lyngklip. Draft correspondence to Bank of America. Telephone conference with client. Draft pro hac vice motion. E-mail Mr. Lyngklip.	3.20
08/18/2008	Telephone conference with client. Telephone conference with Mr. Lynglip. Finalize correspondence to Bank of America. Forward Complaint and correspondence to Bank of America.	1.60
08/19/2008	Review various e-mails. E-mail and conference with Mr. Lyngklip.	0.40
08/20/2008	Telephone conference with Mr. Lyngklip and client. Prepare memos regarding discovery issues.	1.70
08/21/2008	Telephone conference with Mr. Agoglia. Telephone conference with client. E-mail client.	1.00
08/22/2008	Telephone conference with Mr. Lyngklip. Work on conference issues. Telephone conference with client. E-mails and legal research on various issues. Draft order and acceptance of service.	1.40
08/23/2008	Legal research regarding Bank of America.	1.00
08/24/2008	Review e-mail. Review proposed Order.	0.30
08/25/2008	Telephone conference with client. Telephone conference with Mr. Agoglia. Telephone conference with client. Telephone conference with Mr. Agoglia. Work on case. Review status of other FCRA case.	1.80
08/26/2008	Telephone conference with client. Telephone conference with Mr. Lyngklip. E-mail Mr. Agoglia.	0.40

08/27/2008	Telephone conference with Mr. Agoglia. Telephone conference with client.	0.50
08/28/2008	Conference with client. Work on proposed order. Telephone conference with Mr. Lyngklip.	0.70
08/29/2008	Telephone conference with client. Telephone conference with Mr. Lyngklip. E-mail Mr. Agoglia.	0.60
09/02/2008	Various communications regarding litigation status. E-mail Mr. Agoglia.	0.50
09/03/2008	Telephone conference with client. E-mail Mr. Agoglia. Telephone conference with client and prepare Order and acceptance of service.	0.80
09/05/2008	E-mail Mr. Agoglia. Review e-mail from Mr. Agoglia. E-mail client.	0.60
09/06/2008	E-mails with Mr. Lyngklip regarding Complaint and other issues. Legal and fact research.	1.10
09/08/2008	Review filed consent.	0.20
09/09/2008	Review e-mail. E-mail Mr. Lyngklip.	0.40
09/10/2008	Draft e-mail. Review Order. Telephone conference with Mr. Agoglia. Telephone conference with client.	0.80
09/13/2008	E-mail Mr. Agoglia. E-mail client.	0.20
09/17/2008	Legal research and follow up on g(g) classes. Telephone conference with client.	1.10
10/07/2008	E-mail Mr. Lyngklip.	0.30
10/09/2008	Review voicemail form Mr. Agoglia. E-mail client and Mr. Lyngklip.	0.40
10/10/2008	Telephone conference with client. Telephone conference with Mr. Lyngklip. Work on correspondence to Mr. Agoglia.	1.50
10/13/2008	Review file and outline of contacts in preparation for meeting with Bank of America. E-mail client. Draft correspondence to Mr. Agoglia. Additional conversations regarding Order. Various e-mails with client and Mr. Lyngklip.	2.80

10/15/2008	Telephone conference with client. Prepare for certification issues.	0.50
10/21/2008	Telephone conference with Mr. Lyngklip. Review legal issues involving certification.	0.80
10/22/2008	E-mail and conference with Mr. Lyngklip. Review reply and order in Rivera case. Review legal issues in certification.	1.20
10/29/2008	Work on pro hac vice motion. Telephone conference with Mr. Lyngklip. Telephone conference with client. Telephone conference with Mr. Trocki. E-mail Mr. Lyngklip. Draft Motion and Order. Telephone conference with Mr. Trocki.	1.20
10/30/2008	Work on pro hac vice issues. Revise Order and e-mail to Mr. Trocki. File Motion and proposed Order. Work on Rule 26(a)(1) disclosures.	2.30
10/31/2008	Review federal court filings by defendant, including Answer. E-mail client and Mr. Lyngklip.	2.30
11/03/2008	Review scheduling letter. Telephone conference with Mr. Lyngklip. Work on initial disclosures.	1.30
11/04/2008	Work on initial disclosures.	2.00
11/05/2008	Telephone conference with Mr. Lyngklip. Work on initial disclosures. Telephone conference with Ms. Lewis. Work on scheduling issues.	0.40
11/06/2008	Telephone conference with Mr. Lyngklip. Conference with client. Work on disclosures. E-mail Mr. Trocki.	1.50
11/07/2008	E-mail and telephone conference with Mr. Trocki. Telephone conference with Mr. Lyngklip. Work on initial disclosures.	1.20
11/10/2008	Telephone conference with Ms. Lewis, Mr. Lyngklip and Mr. Trocki. Telephone conference with Mr. Lyngklip. Review issues for Rule 26(f) conference. Work on initial disclosures. Review documents.	1.20
11/12/2008	Work on disclosures. Telephone conference with Mr. Lyngklip. Work on correspondence to Mr. Trocki regarding insufficient defenses.	1.20
11/13/2008	Further work on disclosures and correspondence to Mr. Trocki. Legal research.	2.00

11/14/2008	E-mail Mr. Trocki. Work on correspondence to Mr. Trocki. Legal research.	1.20
11/17/2008	E-mail Mr. Lyngklip and Mr. Trocki. Work on initial disclosures.	1.30
11/18/2008	Prepare for Rule 26(f) conference. E-mail client. E-mail Mr. Lyngklip. Participate in Rule 26(f) conference. Telephone conference with client. Telephone conference with Mr. Lyngklip.	1.50
11/19/2008	Telephone conference with client. Telephone conference with Mr. Lyngklip. Telephone conference with Mr. Agoglia, Mr. Trocki and Mr. Lyngklip. Work on disclosures. Legal research.	1.70
11/20/2008	Telephone conference with client.	0.20
11/21/2008	Telephone conference with Mr. Agoglia. E-mail Mr. Lyngklip.	0.30
11/24/2008	Work on disclosures and discovery.	0.50
11/25/2008	Telephone conference with Mr. Lyngklip. Work on disclosures and Rule 23 issues. Telephone conference with Mr. Lyngklip. Review Bank of America Motion to Amend Scheduling Order.	2.30
11/26/2008	Review Rule 23 component of Motion to Amend Scheduling Order.	0.40
11/30/2008	Review and respond to e-mail from Mr. Agoglia. E-mail Mr. Lyngklip.	0.20
12/01/2008	E-mails with Mr. Lyngklip and Mr. Agoglia.	0.40
12/02/2008	Telephone conference with Mr. Lyngklip. E-mail court and counsel.	0.40
12/03/2008	Telephone conference with Mr. Lyngklip. Telephone conference with client.	0.50
12/05/2008	Telephone conference with Mr. Lyngklip. Work on disclosures.	1.20
12/08/2008	Review interrogatories. Review requests for production. Review e-mail from Judge's chambers. Work on and review draft responses. Telephone conference with Mr. Lyngklip. Telephone conference with Mr. Trocki's office. Telephone conference with Mr. Agoglia's office.	3.00
12/09/2008	Review response to motion – filed. Telephone conference with	

	Mr. Trocki regarding scheduling order revisions.	0.80
12/10/2008	Telephone conference with Mr. Lyngklip. Review Order. E-mail Mr. Lyngklip.	0.50
12/11/2008	Telephone conference with Mr. Lyngklip. Review stipulation and order. Telephone conference with Mr. Trocki. E-mail court. Telephone conference with Mr. Trocki. Review filings.	1.10
12/13/2008	Work on disclosures. Review e-mail from Mr. Lyngklip.	0.50
12/15/2008	Work on disclosures. E-mail Mr. Lyngklip. E-mail Mr. Trocki.	0.80
12/16/2008	Work on disclosures. Telephone conference with Mr. Lyngklip.	0.60
12/17/2008	Review documents for production. Review declarations in Rivera case on PACER. E-mail client and Mr. Lyngklip. Work on disclosures. Legal research. Telephone conference with client. Review e-mail from client. E-mail Mr. Lyngklip and Mr. Trocki. Work on subpoena and research Microdynamics.	4.30
12/18/2008	Review and analyze documents for use at trial and for disclosures. Telephone conference with Mr. Lyngklip. Review e-mail form client. E-mail Mr. Lyngklip. Revise initial disclosures. Legal research on damages. E-mail Mr. Lyngklip. Telephone conference with Mr. Lyngklip. Telephone conference with Mr. Trocki regarding privilege and ESI issues. Finalize Rule 26(f) issues. Telephone conference with Mr. Lyngklip.	4.60
12/19/2008	E-mail client and Mr. Lyngklip. Telephone conference with Mr. Lyngklip.	3.00
12/29/2008	Telephone conference with Mr. Lyngklip. Review documents and discovery requests.	1.30
12/30/2008	Review and revise Request for Production. E-mail Mr. Lyngklip. E-mail Mr. Trocki and Mr. Agoglia. Work on discovery.	1.40
01/05/2009	Work on discovery. E-mail Mr. Lyngklip. Review Bank of America's disclosures.	1.30
01/06/2009	Telephone conference with client. Work on discovery.	0.70
01/08/2009	Telephone conference with client regarding 26(f) report and disclosures. Legal research on Rule 26(a)(1) deficiency.	0.70

01/09/2009	Telephone conference with Mr. Lyngklip.	0.40
01/13/2009	Telephone conference with Mr. Lyngklip's office. Legal research.	0.80
01/14/2009	Telephone conference with Mr. Lyngklip.	0.40
01/15/2009	Work on Motion to compel adequate disclosures. Telephone conference with Mr. Lyngklip. Review documents.	1.80
01/16/2009	Telephone conference with Mr. Lyngklip. Work on discovery issues and disclosure issues. E-mail Mr. Agoglia and Mr. Trocki.	2.50
01/17/2009	Review e-mail from client. Telephone conference with Mr. Lyngklip. Draft correspondence to Mr. Trocki and Mr. Agoglia.	1.00
01/21/2009	Telephone conference with Mr. Lyngklip and review motion to compel.	0.70
01/22/2009	E-mail Mr. Agoglia. Telephone conference with Mr. Lyngklip. E-mail client.	0.50
01/23/2009	Review e-mail from client. Telephone conference with Mr. Lyngklip. E-mail Mr. Agoglia. Telephone conference with Mr. Lyngklip. Review proposed e-mail.	0.80
01/28/2009	Telephone conference with Mr. Lyngklip. Work on discovery and deposition preparation.	1.30
01/29/2009	Telephone conference with Mr. Lyngklip. Work on Rule 26(f) report. Work on deposition notices.	1.20
01/30/2009	Review e-mail. Review Order.	0.50
01/31/2009	E-mail Mr. Lyngklip regarding depositions. Work on deposition preparation. Draft notices of depositions.	0.80
02/02/2009	Review 30(b)(6) notice of deposition. Telephone conference with Mr. Lyngklip.	0.50
02/04/2009	E-mail Mr. Lyngklip. E-mail Mr. Trocki and Mr. Agoglia. Telephone conference with Mr. Lyngklip.	1.20
02/05/2009	Work on disclosures and discovery issues. Draft motion. Telephone conference with Mr. Lyngklip. Telephone conference	

	with client. Arrange for court reporter.	2.50
02/06/2009	Work on Motion to Compel. Draft and revise same. Telephone conference with Mr. Lyngklip. Review e-mail from opposing counsel regarding Bank of America's inadequate disclosures.	2.80
02/07/2009	Work on discovery issues. Telephone conference with client. Telephone conference with Mr. Lyngklip. Review e-mail from Mr. Trocki. Finalize memo and motion.	2.70
02/08/2009	Telephone conference with Mr. Lyngklip. Work on revisions to subpoena and other discovery matters.	2.90
02/09/2009	Draft supplemental disclosures. Telephone conference with Mr. Lyngklip. Work on requests for production, subpoena, 30(b)(6) notice. Telephone conference with Mr. Hedayat. Telephone conference with Mr. Lyngklip.	3.30
02/10/2009	Various telephone conferences regarding discovery. Telephone conference with Mr. Lyngklip. Telephone conference with client. Review discovery from Bank of America.	1.70
02/11/2009	Telephone conference with Mr. Lyngklip. Telephone conference with client. Work on document production issues.	1.20
02/12/2009	Review protective order and e-mail Mr. Lyngklip. Work on discovery.	0.80
02/13/2009	Telephone conference with Mr. Lyngklip. Telephone conference regarding Bank of America discovery. Work on discovery issues.	1.60
02/14/2009	Review e-mails regarding discovery issues and conference with client regarding document production.	1.00
02/16/2009	Telephone conference with Mr. Lyngklip. Work on deposition issues.	1.40
02/17/2009	Research other g(g) claims. Review status of Rivera action. Telephone conference with Mr. Lyngklip. Review e-mail. E-mail 26(f) report to Mr. Trocki and Mr. Agoglia.	2.40
02/18/2009	E-mail Mr. Lyngklip. Telephone conference with client. Conference with client regarding discovery and litigation strategy.	1.50

02/19/2009	Telephone conference with client. Telephone conference with Mr. Lyngklip.	0.40
02/20/2009	E-mail Ms. DePuy at U.S. District Court. E-mail Mr. Schaltegger at Microdynamics.	0.50
02/21/2009	Research and review documents.	0.50
02/24/2009	Telephone conference with Mr. Lyngklip. Review e-mails from Mr. Lyngklip and client. Work on issues regarding depositions and protective order.	1.50
02/25/2009	Legal research and draft revisions to Motion and Memo of Law. Telephone conference with Mr. Lyngklip.	2.70
02/26/2009	Work on discovery issues.	0.60
02/27/2009	Review responses to Motion. Telephone conference with Mr. Lyngklip. E-mail Mr. Lyngklip. Review correspondence.	1.50
03/02/2009	Telephone conference with Mr. Lyngklip and client. Review objections and legal research. Work on and review correspondence to Mr. Agoglia.	2.60
03/03/2009	Review correspondence from Mr. Agoglia. Draft correspondence to Mr. Agoglia. Telephone conference with Mr. Lyngklip. Work on reply memorandum regarding insurance contract. E-mail Mr. Lyngklip.	3.50
03/04/2009	Telephone conference with Mr. Lyngklip. Telephone conference with client. Prepare for hearing. Work on supplemental disclosures. E-mail Mr. Trocki. Telephone conference with Mr. Lyngklip. Attend conference call hearing.	3.80
03/06/2009	Various telephone conferences with Mr. Lyngklip and client. Work on memo regarding protective order. E-mails with opposing counsel. File memo.	3.40
03/07/2009	Review communications regarding depositions. Prepare for deposition of Ms. Stoner and portions of 30(b)(6) deposition. Conference with client.	2.30
03/08/2009	Prepare for depositions. Prepare documents. Review and respond to e-mail from Ms. Schaltegger at Microdynamics.	1.50

03/10/2009	Travel to and from Charlotte, North Carolina. Prepare for depositions. Conference with client. Take deposition of April Stoner. Telephone conference with Mr. Lyngklip. Conference with client and prepare for deposition of client. Conference with Mr. Agoglia.	16.00
03/11/2009	Work on discovery responses. Telephone conference with Mr. Lyngklip. Prepare for deposition.	9.80
03/12/2009	Prepare for depositions. Finalize discovery responses and responses to Requests for Admission. Attend and defend deposition of client. Telephone conference with Mr. Lyngklip. Conference with client. Conference with Ms. Garbers. Finalize and serve discovery responses.	13.30
03/13/2009	Telephone conference with client. Telephone conference with Mr. Lyngklip. Prepare correspondence to Mr. Agoglia and Ms. Garbers. Legal research. Review documents.	1.75
03/14/2009	Telephone conference with client.	0.40
03/15/2009	Conference with client and review issues regarding protective order. Review confidentiality issues.	2.20
03/16/2009	Draft and revise correspondence regarding confidentiality issues. Telephone conference with Mr. Lyngklip. Telephone conference with client.	2.30
03/17/2009	Various telephone conferences with Mr. Lyngklip and client. Work on class issues. Telephone conference with client.	1.60
03/18/2009	Telephone conference with client. Telephone conference with Mr. Lyngklip. Various e-mails with client and Mr. Lyngklip. Work on issues.	2.70
03/19/2009	Telephone conference with Mr. Lyngklip. Review Marty Smith deposition. Telephone conference with Mr. Lyngklip regarding mediation issues. Conference with client.	3.20
03/20/2009	Telephone conference with Mr. Lyngklip. Review order and stipulation. Telephone conference with Mr. Trocki. Telephone conference with Ms. DePuy at U.S. District Court.	1.20
03/22/2009	Review correspondence from Ms. Garbers. Review filings with court, including joint stipulation.	0.20

03/23/2009	Telephone conferences with Mr. Lyngklip and client. Telephone conference with Mr. Trocki. Telephone conference and hearing with Judge Urbanski. Telephone conference with Mr. Lyngklip and Mr. Agoglia.	1.00
03/24/2009	Conference with client.	0.20
03/26/2009	Telephone conference with client. Telephone conference with Mr. Lyngklip. Review e-mails.	0.40
03/27/2009	E-mails and telephone conferences with Mr. Lyngklip. Telephone conference with client. Review Rule 23 issues and scheduling issues.	0.50
03/30/2009	Telephone conference with Mr. Lyngklip and client. Telephone conference with Ms. Lewis and other counsel regarding resetting trial date.	0.50
04/03/2009	Telephone conference with Mr. Lyngklip regarding agreement. Telephone conference with client. E-mail from client. Telephone conference with Mr. Lyngklip.	0.60
04/09/2009	Review agreement. Telephone conference with Mr. Lyngklip's office. E-mail Mr. Lyngklip regarding agreement.	0.75
04/10/2009	Review agreement.	0.40
04/13/2009	Telephone conference with Mr. Lyngklip. Review e-mails. Further review of agreement. E-mail client. Research. Telephone conference with client. Telephone conference with Mr. Lyngklip.	1.80
04/14/2009	Further review of agreement. Review other agreements. E-mail Mr. Lyngklip. Legal research. Review 11th Circuit opinion. Telephone conference with client.	1.70
04/15/2009	Various telephone conferences with client and Mr. Lyngklip. Work on agreement.	1.20
04/16/2009	E-mails with Mr. Lyngklip. Telephone conference with Mr. Lyngklip. Further review of agreement.	0.80
04/20/2009	Telephone conference with Mr. Lyngklip regarding agreement.	0.30
04/22/2009	Telephone conference with client. E-mail and telephone conference with Mr. Lyngklip. Work on case.	2.40

04/23/2009	Telephone conference with Mr. Lyngklip. Document drafting.	0.80
04/24/2009	Review agreement. Telephone conference with client. Telephone conference with and e-mails to Mr. Lyngklip. Further preparation.	1.80
04/25/2009	Prepare for conference and work on agreement. E-mail Mr. Lyngklip. Legal research on claims and certification.	1.80
04/26/2009	Work on and review statement to Judge Infante. Research and prepare for conference. Revise statement. Research issues.	3.40
04/27/2009	Various telephone conferences with client and Mr. Lyngklip. Telephone conference with Ms. Amezcua. Telephone conference with Mr. Agoglia. Prepare and revise statement. E-mail statement to Judge Infante.	2.00
04/28/2009	Travel to San Francisco. Conference with client and Mr. Lyngklip.	10.00
04/29/2009	Prepare for conference. Attend conference. Conference with client and Mr. Lyngklip. Various meetings with Judge Infante.	10.00
04/30/2009	Travel from San Francisco. Conference with client.	10.00
05/01/2009	Review revised agreement. Telephone conference with client. Telephone conference with Mr. Lyngklip. Work on outline of report to Judge Urbanski.	2.50
05/02/2009	Work on class certification issues. Work on notice to Judge Urbanski.	3.50
05/03/2009	Work on class certification motion. Research SEC filings regarding HELOCs. Research status of loan programs.	4.20
05/04/2009	Telephone conference with client. Work on report.	0.80
05/05/2009	Work on issues regarding class certification. Telephone conference with client. Telephone conference with Mr. Lyngklip.	2.60
05/06/2009	Telephone conference with client and Mr. Lyngklip. Work on discovery issues.	3.70
05/07/2009	Telephone conference with client. Telephone conference with	

	Mr. Lyngklip. Work on issues surrounding class certification. Review necessary matters for class certification. Telephone conference with client and Mr. Lyngklip. Telephone conference with Mr. Agoglia. Review various e-mails. E-mail court.	3.60
05/08/2009	Various e-mails to and from Mr. Lyngklip. Telephone conference with Mr. Lyngklip. Telephone conference with client. Work on and review e-mail to Judge Infante.	1.80
05/11/2009	Telephone conference with Mr. Lyngklip. Telephone conference with client. Draft limitation on discovery. E-mail client and Mr. Lyngklip. Telephone conference with Mr. Agoglia and plaintiff's co-counsel.	2.80
05/12/2009	Telephone conference with Mr. Lyngklip. Telephone conference with client. E-mail Mr. Agoglia. Review draft stipulation. Telephone conference with client. Telephone conference with Mr. Lyngklip. E-mails with client.	2.60
05/13/2009	Review e-mails. Review agreement. Conference with client. Telephone conference with client and Mr. Lyngklip. E-mail Mr. Agoglia.	3.20
05/14/2009	Review e-mail from Mr. Agoglia. Telephone conference with client and Mr. Lyngklip. Work on e-mails and review revised agreement and stipulation. Telephone conference with client.	5.00
05/15/2009	Telephone conference with client. Telephone conference with Mr. Lyngklip. Review various e-mails. Work on case.	1.60
05/17/2009	Telephone conference with Mr. Lyngklip. Further review of agreement and prepare for conference. Telephone conference with client.	1.10
05/18/2009	Telephone conference with Mr. Lyngklip. Work on class definition. Telephone conference with client. Work on motion for class certification. Various telephone conferences with client and Mr. Lyngklip. Telephone conference with client and Len Bennett. Legal research.	7.80
05/19/2009	Legal research and work on class certification motion and memo. Telephone conference with client and review various e-mails. Review fact issues. Legal research. Draft memo.	4.20
05/20/2009	Conference with client. Work on proposed affidavit by plaintiff.	

	Further legal research and draft memo on class certification. Telephone conference with client. Telephone conference with Mr. Lyngklip. Review e-mails. Work on strategy and class definition. Review protective order and requirements for sealing confidential information.	4.30
05/21/2009	Further work on memo in support of certification motion. Telephone conference with client and Mr. Lyngklip. Telephone conference with Mr. Erasquin. Legal research.	2.00
05/22/2009	Work on draft of memo regarding class certification.	2.20
05/25/2009	Work on memo regarding class certification. Review depositions and other evidence for brief.	4.20
05/26/2009	Further work on memo regarding class certification. Telephone conference with Mr. Lyngklip. Telephone conference with client. Work on class definition.	4.20
05/27/2009	Review deposition transcripts. Review e-mails. E-mail co-counsel. Telephone conference with client. E-mails to and from co-counsel. Work on memo regarding class certification.	4.50
05/28/2009	Conference with client. Work on brief. Draft motion for filing under seal. Draft order regarding sealing. Review motion for class certification. Telephone conference with co-counsel regarding strategy. Draft and revise declarations of client and Timothy E. Cupp. Review declaration of Mr. Lyngklip.	7.60
05/29/2009	Work on declaration. Telephone conference with Clerk regarding procedure for filing under seal pursuant to standing order. Telephone conference with Mr. Lyngklip. Telephone conference with client. Conference with client. Various communications with Mr. Bennett, Mr. Lyngklip and client. Review declarations, motion and memo. Review class definition.	10.60
05/30/2009	Telephone conference with client. E-mails with co-counsel.	1.20
06/01/2009	Various telephone conferences regarding settlement and class issues. Review e-mails with co-counsel. Telephone conference with client and co-counsel. Telephone conference with client. Prepare for mediation.	7.00
06/02/2009	Review e-mails. Telephone conference with client. Prepare for mediation. Telephone conference with co-counsel and client.	4.20

06/03/2009	Prepare for mediation. Travel to San Francisco. Telephone conference with client. Telephone conference with Mr. Lyngklip.	10.00
06/04/2009	Prepare for and attend mediation. Conference with Mr. Lyngklip, Mr. Bennett and Mr. Erasquin. Various telephone conferences with client.	11.00
06/05/2009	Work on case. Travel from San Francisco to Harrisonburg.	9.00
06/10/2009	Review e-mail from Judge Urbanski. Telephone conference with Mr. Lyngklip.	0.60
06/19/2009	Telephone conference with client. Review Bank of America's response to Motion to Seal and Affidavit by Marty Smith. E-mail client and co-counsel.	1.00
06/22/2009	Legal research and attempts to contact co-counsel.	0.60
06/23/2009	Begin drafting reply regarding sealing of record. E-mail co-counsel. Legal research. Telephone conference with client. Further drafting and research.	5.00
06/24/2009	Further drafting of reply and legal research. Review Mr. Bennett's research and suggested framework. Review e-mails regarding suit. Telephone conference with co-counsel. Telephone conference with client.	4.20
06/25/2009	Review e-mail and stipulation. Telephone conference with client. Review order regarding case management. Various telephone conferences with client. Work on case. E-mails with Mr. Agoglia. Legal research.	3.80
06/26/2009	Telephone conference with client. Work on agreement.	2.70
06/29/2009	Work on memo regarding position. Telephone conference with client. Telephone conference with co-counsel. E-mail Mr. Agoglia.	2.60
06/30/2009	Telephone conference with client. Legal research on issues regarding evidentiary sufficiency of existing discovery.	2.40
07/01/2009	E-mails and telephone conference with client. E-mail Mr. Bennett.	0.40
07/02/2009	Review e-mail. Telephone conference with client.	0.40

07/03/2009	Fact and legal research. E-mail counsel. Review Bank of America agreement in consumer class settlement.	1.30
07/06/2009	Telephone conference with Mr. Lyngklip. Telephone conference with client.	0.60
07/07/2009	E-mails with co-counsel. Telephone conference with client.	0.50
07/09/2009	E-mails with co-counsel and Mr. Agoglia.	0.30
07/13/2009	Various e-mails regarding issues in case.	0.50
07/14/2009	E-mails with co-counsel.	0.50
07/22/2009	Various telephone conferences with co-counsel and client.	2.50
07/23/2009	Telephone conference with client. Telephone conferences with Mr. Lyngklip. Review e-mails. Telephone conference with client.	2.80
07/24/2009	Various telephone conferences and e-mails with co-counsel and client.	2.60
07/25/2009	Review e-mails. Telephone conference with client. Work on agreement issues.	1.50
07/27/2009	Telephone conference with Mr. Lyngklip. Telephone conference with Mr. Bennett and Mr. Lyngklip. Review stipulation from Mr. Agoglia. Telephone conference with Mr. Lyngklip.	1.80
07/28/2009	Various telephone conferences with counsel and client. E-mails with counsel.	0.70
07/29/2009	Review e-mails. Telephone conference with client. Telephone conference with co-counsel.	1.60
07/30/2009	Conference with client. Telephone conference with Mr. Lyngklip, Mr. Bennett and client. Review various issues.	2.50
08/10/2009	Telephone conference with Mr. Lyngklip. Telephone conference with client.	0.40
08/19/2009	Telephone conference with Mr. Lyngklip. Telephone conference with client. Work on outline of potential cy pres.	0.80

08/20/2009	Conference with client and Mr. Lyngklip. Work on settlement issues.	1.30
08/25/2009	Various telephone conferences with Mr. Lyngklip	0.50
08/26/2009	Review order and notice of hearing.	0.20
08/28/2009	Telephone conference with Mr. Lyngklip. Telephone conference with client. Telephone conference with Dave Wiley at CRL.	2.50
08/31/2009	Telephone conference with Mr. Lyngklip. Prepare for telephone conference with court. Review proposed order. Telephone conference with client and Mr. Lyngklip. Telephone conference with Judge Wilson and all counsel. Telephone conference with Mr. Lyngklip.	2.30
09/01/2009	Telephone conference with client. Telephone conference with Mr. Lyngklip. Review e-mail.	0.80
09/02/2009	Telephone conference with client. Telephone conference with Mr. Lyngklip. Review e-mails. Telephone conference with Mr. Lyngklip and client.	1.20
09/06/2009	Telephone conference with client. E-mail Mr. Lyngklip.	1.20
09/07/2009	Review brief. Review class notice. Telephone conference with Mr. Lyngklip. Telephone conference with client.	3.30
09/08/2009	Telephone conference with co-counsel. Telephone conference with client. Telephone conference with counsel and client. Work on documents. Review e-mails. Consider issues for agreement and drafting agreement.	2.70
09/09/2009	Review Mr. Bennett's revisions to agreement. Telephone conference with Mr. Lyngklip. Revise agreement. Conference with client.	2.10
09/10/2009	Review final stipulated agreement and e-mail to Mr. Agoglia.	0.90
09/14/2009	Review e-mails. Telephone conference with Mr. Lyngklip.	0.60
09/16/2009	Review proposed e-mail and terms. E-mail co-counsel.	0.60
09/17/2009	Review and work on e-mails and various submissions. Telephone conference with client. Telephone conference with	

	co-counsel.	1.50
09/18/2009	Work on agreement issues. Review e-mails.	0.60
09/21/2009	Various e-mails and agreement review and revisions. Telephone conference with client.	1.40
09/22/2009	E-mails with co-counsel. Review agreement.	1.50
09/23/2009	Review agreement. Telephone conference with Mr. Lyngklip. Various telephone conferences with client.	2.00
09/25/2009	Telephone conference with Mr. Lyngklip. E-mail co-counsel and review e-mails. Telephone conference with co-counsel.	0.80
09/26/2009	Telephone conference with Mr. Bennett. Review e-mails. Review issues.	0.90
09/28/2009	Review e-mails. Telephone conference with Mr. Lyngklip. Revise agreement.	2.60
09/29/2009	Review and revise agreement and other documents. Telephone conference with co-counsel.	3.40
09/30/2009	Review various e-mails and drafts of documents. Draft and finalize documents. Conference with client. Various telephone conferences with co-counsel. File documents with motion for approval. Telephone conference with Mr. Agoglia.	11.80
10/01/2009	Telephone conference and follow-up issues with co-counsel. Telephone conference with client.	0.80
10/06/2009	E-mail co-counsel and Mr. Agoglia.	0.60
10/15/2009	E-mails to co-counsel.	0.30
10/16/2009	Review final issues. Work on form of notice. Telephone conference with client. E-mails with co-counsel. Conference with client. Telephone conference with Christina Perritt at Gravity Group.	1.20
10/19/2009	Review various e-mails. Telephone conference with client. Conference with Gravity Group. Work on case.	1.80
10/23/2009	Telephone conference with client. E-mail Gravity Group.	0.40

10/29/2009	Review form mailers for notice. E-mail client. Telephone conference with Mr. Lyngklip. E-mail Ms. DePuy.	0.80
10/30/2009	Telephone conference with Mr. Lyngklip. Review e-mails regarding preliminary approval hearing. Draft notice of hearing.	1.40
11/02/2009	Telephone conference with Mr. Lyngklip. Telephone conference with Clerk regarding scheduling issues on docket.	0.50
11/05/2009	Prepare for hearing.	0.60
11/06/2009	Telephone conference with Mr. Lyngklip. Review e-mails from Mr. Agoglia and Mr. Bennett. Review issues for hearing in preliminary approval of settlement.	1.20
11/10/2009	Review e-mails and draft notice.	0.60
11/17/2009	Review preliminary approval materials. Interoffice conference.	0.80
11/18/2009	Attend hearing on preliminary approval of settlement (JDCupp). Telephone conference with co-counsel. Interoffice conference. Review fee issue. Work on same.	3.80
11/19/2009	Work on fee issue. Telephone conference with co-counsel.	1.50
11/20/2009	Review fee issue. Legal research. Conference with client. Work on fee issue.	2.00
11/23/2009	Further work on fee issue.	1.00
11/24/2009	Review documents and e-mail Mr. Bennett.	.60
11/25/2009	E-mail communications from court and co-counsel. Telephone conference with client.	.50
12/09/2009	Review further Order from Judge Urbanski. Telephone conference with client. Analyze issues and possible responses.	1.80
12/10/2009	Legal research and review of validity of position. Analyze argument defects. Conference with client. Telephone conference with Mr. Lyngklip.	2.30
12/11/2009	Legal research in connection with response to Court. E-mails with Mr. Lyngklip and other co-counsel. Review	

	e-mail from client.	1.20
12/12/2009	E-mails with client.	.80
12/14/2009	Telephone conference with client. Telephone conference with Mr. Lyngklip.	.70
12/15/2009	Telephone conference with Mr. Lyngklip.	.20
12/16/2009	Drafting and revisions to declaration. Telephone conference with client. Telephone conference with Mr. Lyngklip. Review e-mail from Mr. Bennett. Work on statement.	2.10

TOTAL OF CUPP & CUPP, P.C. HOURS 540.10

11/18/2009
4:53 PM

Cupp & Cupp, P.C.
A/R Transaction Listing

Selection Criteria

Acco.Classification Open
Clie.Selection Include: Domonoske expenses

'B' for Billed. 'P' for Posted.

ID / Date	Type / Invoice #		Client / Check Number	Value
678 8/18/2008	INV G:10295 Invoice No. 10295	B	Domonoske expenses	354.50
680 8/26/2008	PAY G:10389 Payment - Thank You. Check No. 1355	B	Domonoske expenses 1355	(354.50)
871 4/5/2009	INV G:10389 Invoice No. 10389	B	Domonoske expenses	347.04
880 4/9/2009	PAY G:10410 Payment - Thank You. Check No. 1415	B	Domonoske expenses 1415	(347.04)
917 6/10/2009	INV G:10410 Invoice No. 10410	B	Domonoske expenses	947.37
978 6/29/2009	PAY G:10439 Payment - Thank You	B	Domonoske expenses	(947.37)
988 9/21/2009	INV G:10439 Invoice No. 10439	B	Domonoske expenses	210.27
1000 9/30/2009	PAY Payment - Thank You. Check No. 1470		Domonoske expenses 1470	(210.27)

Grand Total	
Invoice	1859.18
Payment	(1859.18)

EXHIBIT
tabbies
B

Nickname	Domonoske expenses | 111		
Full Name	Thomas Domonoske		
Address	461 Lee Avenue Harrisonburg VA 22802		
Phone		Fax	
Home		Other	
Fees Arrg.	By billing value on each slip		
Expense Arrg.	By billing value on each slip		
Tax Profile	Exempt		
Last bill	9/21/2009		
Last charge	11/6/2009		
Last payment	9/30/2009	Amount	$210.27

Total of billable time slips $0.00

Date ID	Timekeeper Expense	Price Markup %	Quantity	Amount	Total
10/19/2009 5621	TEC Long Distance Long distance charges	12.34	1.000	12.34	Billable
11/6/2009 5808	TEC Long Distance Long distance charges (9/16/09 - 10/15/09)	17.64	1.000	17.64	Billable
TOTAL	Billable Costs				$29.98

Calculation of Fees and Costs

	Amount	Total
Total of Fees (Time Charges)		$0.00
Costs Bill Arrangement: Slips By billing value on each slip.		
Total of billable expense slips	$29.98	
Total of Costs (Expense Charges)		$29.98
Total new charges		$29.98
Previous Balance		
30 Days	$210.27	
Total Previous Balance		$210.27

Accounts Receivables

Date|ID	Type	Description	Amount
9/30/2009 1000	PAY	Payment - Thank You. Check No. 1470	($210.27)

Domonoske expenses:Thomas Domonoske (continued)

	Amount	Total
Total Accounts Receivable		($210.27)
New Balance		
Current	$29.98	
Total New Balance		$29.98

Cupp & Cupp, P.C.
1951-D Evelyn Byrd Avenue
P.O. Box 589
Harrisonburg, VA 22803-0589
(540) 432-9988

Pd 9-30-09

Invoice submitted to:
Thomas Domonoske
461 Lee Avenue
Harrisonburg VA 22802

September 21, 2009

Invoice #10439

Expenses

		Amount
7/8/2009	Long distance charges (5/19/09 - 6/14/09)	128.34
7/28/2009	Long distance charges (6/16/09 - 7/15/09)	8.56
9/8/2009	Long distance charges (7/16/09 - 8/14/09)	73.37
	Total expenses	**$210.27**
	Previous balance	**$947.37**
	Accounts receivable transactions	
6/29/2009	Payment - Thank You	($947.37)
	Total payments and adjustments	**($947.37)**
	Balance due	$210.27

Payable upon receipt.
Please make checks payable to Cupp & Cupp, P.C.

PA 6/27/09

Cupp & Cupp, P.C.
1951-D Evelyn Byrd Avenue
P.O. Box 589
Harrisonburg, VA 22803-0589
(540) 432-9988

Invoice submitted to:
Thomas Domonoske
461 Lee Avenue
Harrisonburg VA 22802

June 10, 2009

Invoice #10410

Expenses

		Amount
5/1/2009	Long distance charges (3/17/09 - 4/15/09)	43.15
5/18/2009	Copying cost	12.00
5/29/2009	Round trip airfare to San Francisco paid to United Airlines	608.20
	Postage for documents mailed to Agoglia and Trocki	17.45
6/9/2009	Long distance charges (5/15/09 - 6/10/09)	61.58
	Copying cost	83.00
6/10/2009	Expenses in connection with travel to San Francisco for mediation (6/3/09 - 6/5/09): Meals: $81.29 (receipts available upon request) Metro: $10.70 Baggage Claims: $30.00	121.99
	Total expenses	**$947.37**
	Previous balance	**$347.04**
	Accounts receivable transactions	
4/9/2009	Payment - Thank You. Check No. 1415	($347.04)
	Total payments and adjustments	**($347.04)**
	Balance due	$947.37

Payable upon receipt.
Please make checks payable to Cupp & Cupp, P.C.

Cupp & Cupp, P.C.
1951-D Evelyn Byrd Avenue
P.O. Box 589
Harrisonburg, VA 22803-0589
(540) 432-9988

Pd
4-9-09

Invoice submitted to:
Thomas Domonoske
461 Lee Avenue
Harrisonburg VA 22802

April 05, 2009

Invoice #10389

Expenses

Date	Description	Amount
6/18/2008	Delivery Cost to UPS	19.20
12/15/2008	Long distance charges	5.56
12/19/2008	Postage	17.00
1/20/2009	Copying cost	112.80
2/6/2009	Long distance charges	6.81
2/16/2009	Copying cost	20.40
	Postage	5.54
2/25/2009	Certified mail to Experian	5.49
	Delivery Cost for delivery of subpoena to process server in Richmond	13.48
2/26/2009	Client advance for fee to Bizport to serve subpoena on Experian	33.60
3/6/2009	Postage	1.35
3/9/2009	Copying cost	12.00
4/3/2009	Long distance charges (2/16/09 - 3/15/09)	93.81
	Total expenses	**$347.04**
	Previous balance	**$354.50**
	Accounts receivable transactions	
8/26/2008	Payment - Thank You. Check No. 1355	($354.50)
	Total payments and adjustments	**($354.50)**